

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

CIVIL NO. 1:03CV218

CARROLL MOORE,	)	
	)	
Plaintiff,	)	
	)	
Vs.	)	<u>AMENDED JUDGMENT</u>
	)	
CITY OF ASHEVILLE, NORTH	)	
CAROLINA; JAMES L.	)	
WESTBROOK, JR., in his official	)	
capacity as the City Manager of	)	
Asheville, North Carolina; and	)	
ASHEVILLE POLICE	)	
DEPARTMENT,	)	
	)	
Defendants.	)	
	)	

**THIS MATTER** is before the Court on remand from the Fourth Circuit Court of Appeals directing this Court to dismiss the Plaintiff's complaint. **See,** *Moore v. City of Asheville, North Carolina*, 396 F.3d 385 (4<sup>th</sup> Cir.), cert. denied, 2005 WL 2413957 (Oct. 3, 2005).

For the reasons stated in the mandate of the Fourth Circuit, **see, id.**, at 397,

**IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED** that the

Plaintiff's complaint is hereby **DISMISSED** in its entirety.

**Signed: November 5, 2005**



Lacy H. Thornburg  
United States District Judge

